

## Major Differences Between WAC 246-215 and FDA 1999 Food Code

WDOH 9/17/01

Risk Factor	FDA 1999 Food Code Requirement	WAC 246-215
Definitions	1-201.10(B)(31) Food Establishment does not include a home used to prepare non-PHF for religious or charity function; a “food processing plant”; home day care; bed and breakfast facility	-010(22) Food Service Establishment includes home settings, but a variance may be given; food processing settings, unless licensed by USDA, FDA, or WSDA
	1-201.10(B)(61) Potentially Hazardous Food (PHF) includes cooked plant food; water activity above 0.85; excludes air-cooled hard-boiled eggs with shell intact	-010(40) PHF includes “certain” cooked plant foods; water activity above 0.90; no exclusion for hard-boiled eggs
Person in charge	2-101.11 Be present during hours of operation	No equivalent
	2-102.11 Demonstrate knowledge	No equivalent
	2-201.12 Exclude food workers with diseases and symptoms	-260(2)(c) & (e) Health officer restricts food workers
Hand washing	2-301.12 20-second wash, vigorous, underneath fingernails, between fingers	-080(1) Less specific
	2-301.16 Hand sanitizers must conform to specifics, when used in addition to washing	-080(3) No hand sanitizer specifications, when used in addition to washing
Employee hygiene	2-302.11 Fingernails trimmed, filed, no polish, no artificial nails	No equivalent
	2-303.11 Jewelry and watches not allowed, except smooth wedding bands	No equivalent
	2-401.11 No eating, drinking (except closed beverage containers), tobacco	-080(4) Drinking not addressed
	2-402.11 Hair restraints specified	-080(2)(c) Hair restraints “as necessary”
Approved source	3-201.11(B) No foods prepared in private homes	-270 Variance allowed for source
	3-201.16 Wild mushrooms must be individually inspected by expert	No equivalent
	3-201.17 Field-dressed wild game must be inspected by veterinarian	-020(6)(d) Health officer may approve road kill meat for use in jails and soup kitchens
	3-202.11 PHF must be 41° F or less at receiving (unless other rules specify otherwise) and not have evidence of temperature abuse	No equivalent
	3-202.14 Milk must be obtained pasteurized	-020(2)(a) Grade A raw milk may be sold for off-premises consumption
	3-203.12 Molluscan shellfish tags received and kept on original container; held for 90 days	-020(3)(b)(iii) Identifying information may be on invoice rather than container; no requirement to keep tags or other identifying information for 90 days
Freeze fish served raw	3-201.11(D) & 3-402.11 Fish served raw must be previously frozen to kill parasites; 3-402.12 Keep records of freezing	No equivalent
Preventing contamination	3-301.11 No bare hand contact with ready-to-eat-foods, except as otherwise approved	-030(1)(g) “Minimize” hand contact by using utensils or gloves when practical; guidance policy
	3-302.11(A)(2) Prevent cross-contamination of different species raw meats	No equivalent
	3-302.13 Pasteurized eggs must be used for undercooked recipes	No equivalent
	3-304.15 Gloves used for only one task, discarded if soiled or damaged	No equivalent
	No equivalent	-030(1)(j) & (k) Limited use of pooled eggs; no egg-breaking machines
Cooking temperatures	3-401.11(A)(1) 145° F for 15 seconds for eggs and many other foods of animal origin	-070(3)(e) & (f) 140° F for eggs and other foods of animal origin not otherwise specified; eggs may be cooked to less if specifically ordered by consumer
	3-401.11(A)(2) 155° F for 15 seconds for ground meats, ratites, injected meats, pooled eggs; also table allowing cooking as low as 145° F for 3 minutes	-070(3)(b) Ground beef may be cooked to less if specifically ordered by consumer; no specific requirements for ratites, injected meats; –030(1)(j)(ii) pooled eggs cooked to 140° F
	3-401.11(B) 130-145° F for time specified in table for whole beef and pork	-070(3)(c) 150° F for pork; -070(3)(d) 130° F minimum for rare roast beef ; no table of alternative temperatures
	3-401.11(C) Outside only required to be cooked to 145° F minimum for intact beef	-070(3)(d)(ii) No minimum cooking for beef steak as specifically ordered by consumer

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	steak if labeled “intact beef”	
	3-401.12 Microwave cooking of raw PHF to 165° F; procedures specified	No equivalent
	3-401.13 Fruits/vegetables to be hot held must be cooked to 140° F or greater	No equivalent
Reheating	3-403.11(A) 165° F for 15 seconds	No equivalent
	3-403.11(B) Microwave to 165° F, rotated, stirred, let stand for 2 minutes	No equivalent
	3-403.11(D) 165° F within 2 hours	-070(8)(b) 165° F within 1 hour; within 30 minutes for temporary food service
Thawing	3-501.13 Allows cooking of large pieces of frozen meat or poultry	-070(2)(c) Prohibits cooking of unthawed foods greater than 4 inches thick
Cooling	3-501.14(A) Cooked PHF cooled from 140° F to 70° F within 2 hours and from 70° F to 41° F within 4 hours	-070(6) PHF cooled from 140° F to 45° F within 4 hours
	3-501.14(B) PHF cooled to 41° F within 4 hours if prepared from ingredients at ambient temperatures	-050(3)(f) Prepare PHF with ingredients pre-chilled to 45° F
	3-501.15 Cooling methods specified without specific depths	-070(6) Cooling methods more specific, including depths and thicknesses
Cold holding	3-501.16 PHF at 41° F or 45° F if current equipment not capable of maintaining lower temperature; equipment must achieve 41° F within 5 years of rule adoption	-050(3)(a) PHF at 45° F
Time as control	3-501.19 No cold or hot holding temperature needed if PHF working supply is held before cooking or discarded within 4 hours; time must be marked on food	No equivalent
Reduced oxygen packaging	3-502.12(B) HACCP plan required if <i>Clostridium botulinum</i> is hazard	-060(3) HACCP plan and health officer approval required for all foods other than non-potentially hazardous foods, raw meats, certain cheeses
	3-502.12(B)(2)(a) Water activity 0.91 or less is one barrier	-060(3)(a) Water activity of 0.93 or less is barrier
	3-502.12(B)(3) Store at 41° F or less	-060(4)(a) Store at 38° F or less
	3-502.12(B)(4) Label says to store at 41° F or less and discard within 14 days	-060(4)(a) Label says to store at 38° F or less and discard or freeze within 7 days
	3-502.12(B)(7) Training required	No equivalent
Date marking	3-501.17 Ready-to-eat foods must be date marked to use within 7 days when stored at 41° F or less and within 4 days if stored at 41-45° F; including opened containers packaged at a food processing plant	No equivalent
Discard time	3-501.18 Ready-to-eat foods must be discarded within 7 days when stored at 41° F or less and within 4 days if stored at 41-45° F; including opened containers packaged at a food processing plant	No equivalent
Consumer advisory	3-603.11 Raw or undercooked ready-to-eat foods of animal origin (intended to be consumed without more processing) must be identified by label, brochure, or on menu; <b>the risk, especially to vulnerable consumers, must be explained.</b>	-040(10) Raw or undercooked ready-to-eat foods of animal origin (intended to be consumed without further processing) must be identified by label, menu, or sign; <b>the risk does not need to be explained, except for raw milk products</b>
Highly susceptible population	3-8 Additional safeguards	No equivalent except –070(3)(e)(i) eggs pasteurized or cooked to 140° F for certain clients
Equipment	4-101.16 Sponges may not be used in contact with in-use food-contact surfaces	No equivalent
Cleaning & sanitizing	4-602.11 Food-contact surfaces must be cleaned before each use with a different type of raw animal food; exception for sequence of products requiring higher cook temps; frequency of every 4 hours unless otherwise specified	No equivalent
	4-703.11 Sanitizing by immersion for at least 30 seconds	-100(4)(a)(iii) Manual dishwashing sanitizing by immersion for at least 60 seconds
Plumbing	5-202.12 Handwashing facilities provided with water at 110° F	-120(10)(a) Handwashing facilities provided with water at 100° F
Mobile food unit	5-3 Mobile water tanks & 5-401 Mobile holding tanks only	-160 Extensive criteria for physical facilities and operation

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Temporary food service	No equivalent	-190 Extensive criteria for physical facilities and operation
Waivers	8-103.10 Regulatory authority may grant variance for any portion of this code	-270 [Local] health officer may grant a variance regarding physical facilities, equipment standards, and food source
HACCP	8-201.13 Health officer may require HACCP plan as condition to grant a variance	No HACCP requirement, except for modified atmosphere packaging